

AUG 17 2005

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Facsimile Cover Sheet

To: Commissioner for Patents for Examiner Rexford N. Barnie Group Art Unit 2643	Facsimile No.: 571/273-8300
From: Jennifer Pilcher Legal Assistant to Wayne Bailey	No. of Pages Including Cover Sheet: 15
Message: Transmitted herewith: <ul style="list-style-type: none">Transmittal Document; andResponse to Office Action.	
Re: Application No. 09/942,797 Attorney Docket No: AUS920010453US1	
Date: Wednesday, August 17, 2005	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Himmel et al.

§ Group Art Unit: 2643

AUG 17 2005

Serial No.: 09/942,797

§ Examiner: Barnie, Rexford N.

Filed: August 30, 2001

§ Attorney Docket No.: AUS920010453US1

For: Proximity-Based Mobile
Telephone Billing Intervention

35525

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

Certificate of Transmission Under 37 C.F.R. § 1.8(a)
 I hereby certify this correspondence is being transmitted via
 facsimile to the Commissioner for Patents, P.O. Box 1450,
 Alexandria, VA 22313-1450, facsimile number (571) 273-8300
 on August 17, 2005.

By:

Jennifer Pilcher

TRANSMITTAL DOCUMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:
 ENCLOSED HEREWITH:

- Response to Office Action.

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,


 Catherine K. Kinslow
 Registration No. 51,886
 Duke W. Yee
 Registration No. 34,285
 YEE & ASSOCIATES, P.C.
 P.O. Box 802333
 Dallas, Texas 75380
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 ATTORNEYS FOR APPLICANTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Himmel et al.

Serial No.: 09/942,797

Filed: August 30, 2001

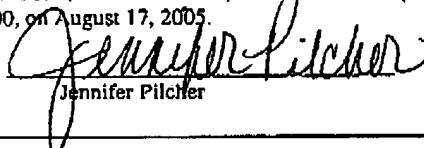
For: Proximity-Based Mobile
Telephone Billing Intervention

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§ Group Art Unit: 2643
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8300, on August 17, 2005.

By: 
Jennifer Pilcher

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

In response to the Office Action dated May 17, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.